

U.S. Patent Application Serial No. **10/659,254**
Amendment filed October 27, 2005
Reply to OA dated June 27, 2005

REMARKS:

Claims 1-4 are currently being examined, of which claim 3 has been amended.

Applicants and Applicants' attorney thank Examiner Tibbits for the telephone discussion courteously granted October 4, 2005. The special attention the Examiner paid to the instant application is noted with appreciation. Items discussed include: the Office Action dated June 27, 2005; USP 6,459,236 (**Kawashima**); and claims 1 and 2 of the subject application.

The Examiner has objected to claims 3 and 4 as being dependent upon a rejected base claim, and has noted that claims 3 and 4 would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. Claim 3 has been amended in a manner intended to overcome this objection. Thus, Applicants respectfully submit that the objection to claims 3 and 4 should be withdrawn.

Claims 1 and 2 stand rejected under 35 USC 102(e) as anticipated by US Patent No. 6,459,238 (**Kawashima**).

Applicants respectfully traverse this rejection.

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Kawashima indicates that: “The switching circuit shows a unidirectional sequential scanning of the switching operation to all of the basic cells, as shown in FIG. 4, so as to reduce the averaged value of the voltage differences between the **adjacent basic cells**” (col. 12, lines 45-48) (emphasis added).

Kawashima states the following: “reduce the averaged value of the voltage differences between the **adjacent basic cells**” (col. 12, lines 49-54) (emphasis added).

Kawashima describes reducing the averaged value of the voltage differences between adjacent basic cells.

Kawashima fails to describe, teach, or suggest the following features of claim 1 of the subject application: “wherein **electric charge is transferred from the largest unit cell** having the largest voltage across the cell among said plurality of the unit cells **to a capacitor** …, and thereafter, **the electric charge is transferred from said capacitor to the smallest unit cell** having the smallest voltage across the cell”, in combination with the other claimed features (emphasis added).

Kawashima fails to describe, teach, or suggest the following features of claim 2 of the subject application: “equalizing the respective voltages across said unit cells by transferring electric

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charge from the largest unit cell having the largest voltage across the cell to a capacitor, and thereafter, by transferring the electric charge from said capacitor to the smallest unit cell having the smallest voltage across the cell", in combination with the other claimed features.

Thus, Applicants respectfully submit that this rejection should be withdrawn.

In view of the aforementioned amendments and accompanying remarks, it is respectfully submitted that all claims currently being examined are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP



Darren R. Crew
Attorney for Applicants
Reg. No. 37,806

DRC/lf

Atty. Docket No. **031143**
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



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Enclosures: Petition for Extension of Time